

THE LAW

Supreme Court Decision in the International Bank Case.

Validity of Bank Charters Granted under Special Acts Sustained.

The Distinction Drawn Between Banks of Issue and Those of Deposit.

Minor Objections as to the Way the Act Was Passed Overruled.

Proceedings in the Chicago Courts—Hinders, New Suits, Judgments, Etc.

ILLINOIS BANK CHARTERS.

Following is the opinion of the Supreme Court—written by Mr. Justice Sheldon—in the case of the People vs. Bertold Loewenthal et al., being a proceeding to test the question as to the validity of the charter of the International Bank, and, indirectly, of all banks holding Illinois charters granted since 1848:

In the year 1857 the General Assembly of the State passed, and the Governor approved, an act to incorporate "The International Mutual Trust Company," with a capital of \$500,000, which charter granted the right to have, hold, loan money, and receive deposits, and to issue notes, bonds, or other securities, and issue letters of credit. Also, to hold real estate needed in the transaction of its business, and to take and hold real estate in trust as security for the payment of loans and debts due the corporation.

This corporation was organized in the year 1857, has from that time been engaged in the business of dealing in money, loaning out its own funds on security, and in receiving deposits of money from others, and loaning the same on approved security, and also buying and selling exchange, notes, bonds, and other securities.

On the 10th day of May, 1879, the State's Attorney for the County filed, in the Criminal Court of Cook County, a petition for leave to issue a writ of habeas corpus, and to set aside the charter of said corporation on the 5th section of the act of March 18, 1879, which gave the powers conferred are "banking powers," and that the act in question was never submitted to a vote of the people.

The petition was answered, showing cause, admitting the allegations of fact in the petition, and averring that the statute under which the corporation was organized was never submitted to a vote of the people.

That the assets of the corporation in question amounted to over \$1,000,000. That the corporation, known as Loan & Trust Company of Chicago was organized in 1857, under a similar charter, and has since been doing business as a bank, and has received deposits of money to the amount of \$1,000,000, and that there are other banks in Chicago doing business under a similar charter.

The Criminal Court, upon hearing the case, denied leave to file the petition, and the case was set for the next term of the court. The main question which is presented is as to the validity of the charter in question to the effect that if the charter in question is valid, the corporation is a bank, and the powers conferred are "banking powers," and that the charter in question is not valid, the corporation is a trust company, and the powers conferred are "trust company powers."

"No act of the General Assembly authorizing corporations or individuals with banking powers shall go into effect until it has been submitted to a vote of the people, and the majority of the votes cast thereon shall be in favor of the same." This is the language of the act in question.

The corporation in this case is given the power to loan money, to buy or sell exchange, to issue notes, bonds, or other securities, to have and hold money and issue letters of credit, and to do all other things which a bank is authorized to do. It is not a question of whether the corporation is a bank or a trust company, but a question of whether the powers conferred are "banking powers" or "trust company powers."

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which the words "banking powers" are used in Sec. 2, we may well conclude that they are used in the same sense in Sec. 3. That when that section speaks of the act of the General Assembly authorizing corporations or associations with banking powers shall go into effect until it has been submitted to a vote of the people, it means by banking powers with banking powers, corporations issuing bank-notes to circulate as money, and related banks and banks.

Words often have a popular sense different from their strict technical import, and Courts are not infrequently called upon to construe the construction of language, to hold that words are used in a popular sense where they have a different technical meaning. The case of *Commonwealth vs. Gage*, unreported, is an instance where it was a question whether the City Treasurer of Chicago had committed a criminal offense in the violation of a provision of the city charter relating to the loaning of the public money, and the words "loaning" were used, and it was held that, although strictly and technically the deposit was a loan of the money to the bank, because so in the popular sense of the term, and that the word loan was used in the charter in its popular sense.

And it is regarded here, that the popular understanding of a bank, or an institution with banking powers, is that of a bank of issue, and that there is reason to believe that the words "banking powers," in this case, were employed in accordance with this popular understanding.

We think, therefore, that the popular understanding of a bank, or an institution with banking powers, is that of a bank of issue, and that there is reason to believe that the words "banking powers," in this case, were employed in accordance with this popular understanding.

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Trust Company," amended as per amendments attached thereto. The word Trust is evidently a mistake of the printer in setting up "Inter." No objection is made on this point. The bill is identified.

Afterward the Committee on Enrolled Bills reported that the bill had been read and referred to the Governor for his approval.

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Landlords was an open conspiracy against the well-being, prosperity, and happiness of the people, which ought to be crushed by those who suffered its consequences. (Cheers.) There were 3,000 Irish landlords received 20 millions of dollars annually, or half the earnings of the whole nation, without putting a single penny more for themselves, and we rejoice to see them more powerful rivals in the development of our great resources in agriculture of all that would be desirable in this life, and in patriotism and love of country.

It is not enough in these excerpts to satisfy "staircase" desires. The stairwells must be cleared of the "staircase" desires. There is a word in all the speeches delivered. There is a word in all the speeches delivered. There is a word in all the speeches delivered.

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FINANCE AND TRADE.

Another Successful Attack on the Prices of Stocks—Foreign Exchange and Money.

A General Tumble in the Feature of the New York Stock Exchange.

And the Money Rate Advanced to an Almost Unprecedented Figure.

The Produce Markets More Active and Generally Stronger, but Nervous.

More Demand for Wheat and Provisions—Corn Rather Weak.

The New York Wheat Market Exited, with a Sharp Advance.

FINANCIAL.

A new feature in the Government bond market was an active inquiry for the 6s of 1921, which were relatively cheap at the time. The 4s of 1921 were at 100 1/2 and 100 3/4, while the 6s of 1921 were at 100 1/2 and 100 3/4. The 4s of 1921 were at 100 1/2 and 100 3/4, while the 6s of 1921 were at 100 1/2 and 100 3/4.

Foreign exchange was higher, with a deterioration in favor of future bills. The supply of bills has been increased by the check given to the Treasury by the rise in the price of the same time, the demand for bills has increased with the growth of imports. Posted rates for sterling were 48 1/2 and 48 1/4. Sterling rates were 48 1/2 and 48 1/4. Sterling rates were 48 1/2 and 48 1/4.

The Bank of England in the past week has lost \$1,000,000 in bullion. Its reserve is now \$15-16 per cent of its liabilities.

Country orders for currency have begun to increase. The dollar market has started the big movement, and Chicago will probably lose many millions of currency in the next few weeks. New York exchange was weak. There were sales at 25c per \$1,000 discount, and more were offered at 25c per \$1,000 discount.

Local securities were in more request. West Town 5s were sold at 101 1/2, Cook County 7s at 101 1/2, and between dealers Chicago 7s at 101 1/2.

Business in stocks was very near a standstill yesterday in Chicago. It was a day of extraordinary activity in New York, but the interruption of telegraphic communication was complete as to be a virtual embargo on the Chicago operators. Our brokers and their customers were compelled to stand by and watch the rapid changes of the market without being able to take any action.

The only stocks that advanced were Illinois Central 3 1/2 to 3 3/4, Union Pacific 3 1/2 to 3 3/4, and the second preferred 3 1/2 to 3 3/4.

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Josephine second week in November was \$44.50, an increase of \$5.00.

Another account. New York, Nov. 20.—This was one of the most noteworthy days in the history of the Stock Exchange. The reaction in the market was the result of a series of transactions, which the actual dealings made had exceeded three-quarters of a million shares. Although the excitement was great, there was nothing approaching a panic.

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\$1.30.
Good—Wheat, 12, 000 bu; corn, 16,000 bu; oats, 3,000 bu.
Superior—Wheat, 9,000 bu; corn, 25,000 bu; oats, 3,000 bu.

PEORIA.
PEORIA, Ill., Nov. 20.—**GRAIN**—Wheat scarce and in demand. Corn active and easier; new high mixed, 36½¢; 36½¢; new mixed, 36½¢, 35½¢. Oats steady and inactive; No. 2 white, 23½¢. **Flour**—Flour scarce and in good demand; No. 2, 74¢ 75¢.
Hay—Hay steady and unchanged at \$1.08½.

CINCINNATI.
CINCINNATI, Nov. 20.—**COTTON**—Steady at 11½¢.
Flour—Fairly active and a shade higher than at \$1.00.
GRAIN—Wheat—Demand fair and prices higher at \$1.28½; No. 2 in good demand at 45¢; new

Vessel now here and chartered for Buffalo will lay up on their arrival at that port. Among them are the schoen Sam Flint, Crestwater, Corning, M. Hutchinson, Elizabeth Jones, and Dobbin.

The steam-barge William Edwards reached Richardson's dock Wednesday night, when the water rose, and is discharging her coal cargo—1,400 tons.

Three schoes Swallow, D. A. Van Valkenburg, and Jessie Hoyt are to be towed from this port to Milwaukee by a tug from that place, and will go into the waters of Lake Erie.

The schoer James was in port, light, last evening. She was loaded for a favorable bid to take her to Onondaga, where she loads timber for Chicago at \$0.00 per 1,000 feet.

The schoer William W. Hunt is booked for another trip from Escanaba to Fruitport, with iron ore. She is now at Grand Haven, waiting to get out.

The Surinse is also at the latter port, bound for Chicago.

ed him, but, after a hard struggle, the
refused himself and dashed through a
winning his escape.

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 Night Express 8:00 a.m. 7:00 a.m.
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 (General Route)
 Chicago, St. Charles, St. Louis, Hannibal, and Des
 Moines, Clintonville and Campbell.
 Leave Arrive.
 Chicago & Florida Express 7:30 a.m. 4:40 p.m.
 Chicago & Florida Express 7:30 p.m. 7:25 a.m.
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